

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR 2002-093045

02/01/2006

THE HON. CRANE MCCLENNEN

CLERK OF THE COURT  
E. Campo  
Deputy

FILED: 02/07/2006

STATE OF ARIZONA

JEANNETTE GALLAGHER

v.

ALAN MARCEL SOJKA (A)

GARY J BEVILACQUA  
JOSEPH A STAZZONE

VICTIM SERVICES DIV-CA-SE

TRIAL MINUTE ENTRY  
DAY 10

State's Attorney:	Jeannette Gallagher
Defendant's Attorney:	Gary Bevilacqua and Joseph Stazzone
Defendant:	Present
Court Reporter:	Kathy Incavo

Prior to commencement of trial, State's exhibits 1-89 are marked for identification.

10:30 a.m. Trial to jury continues from 01/31/2006.

The jurors are not present.

The Court addresses the State's Motion for use of Transcripts.

For reasons set forth on the record,

IT IS ORDERED granting the Motion.

IT IS FURTHER ORDERED that the jurors will be provided with transcripts to follow.

10:36 a.m. The jurors are present.

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The Clerk reads the Indictment to the jurors and the plea of the Defendant is made known to them.

State's opening statement.

11:40 a.m. Court recesses.

1:01 p.m. Court reconvenes with respective counsel and Defendant present. The jurors are present.

Court reporter, Kathy Incavo, is present.

Defendant's opening statement.

State's case:

Robert Heath is sworn and testifies.

LET THE RECORD REFLECT the witness makes an in-court identification of the Defendant.

State's exhibit 47 is received in evidence.

State's exhibit 48 is received in evidence.

State's exhibit 49 is received in evidence.

2:32 p.m. Court recesses.

2:49 p.m. Court reconvenes with respective counsel and Defendant present. The jurors are present.

Court reporter, Kathy Incavo, is present.

Robert Heath testifies further.

State's exhibit 64 having been opened and found to contain 2 items,

IT IS ORDERED removing 1 of the items and marking as State's exhibit 64.001 for identification.

State's exhibit 64 and 64.001 are received in evidence.

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The witness is excused.

Michael Allen Kominska is sworn and testifies.

State's exhibit 10 is received in evidence.

The witness is excused.

3:57 p.m. The jurors are reminded of the admonitions; Court remains in session.

Defense counsel presents statements for the record regarding the objection discussed at a bench conference off the record.

Court and counsel discuss the issue.

4:07 p.m. Court recesses until 02/02/2006 at 10:30 a.m. in this division.